REMARKS

The application has been amended and is believed to be in condition for allowance.

This amendment is being filed as part of an RCE application.

The previously pending claims have been amended and new claims added.

There are no formal matters outstanding.

Claims 1 and 4-7 were rejected as anticipated by WOLF 4,767,416.

Claims 1-3 and 8 were rejected as anticipated by BLACKMAN 2,485,184.

Neither WOLF nor BLACKMAN discloses each feature recited by the claims and therefore there is no anticipation since anticipation requires disclosure of each recited feature.

Neither reference discloses an outlet portion (1) for a nasal rinser, comprising an outlet end (2), a connection end (3) and a nozzle shaped channel (4) between the outlet and connection ends, the nozzle shaped channel (4) having an internal hourglass shape comprising a channel restriction section (5) and an expanded channel outlet section (6), that satisfies the claim 1 wherein clause.

WOLF terminates with an orifice 16, 23, 34 respectively shown in Figures 1-3. BLACKMAN terminates with an opening (mouth 68) that is smaller than the adjacent cavity.

Claim 1 recites that the outlet end terminates with the expanded channel outlet section, and that the expanded channel outlet section continues to expand toward the outlet end with a maximum interior diameter of the expanded channel outlet section being located at a distal end of the outlet end. See application Figures 1-3 showing a maximum interior diameter of the expanded channel outlet section 6 being at the distal end of outlet portion 1.

Claim 1 also recites that each interior cross-sectional diameter of the nozzle shaped channel is different from all other interior cross-sectional diameters of the nozzle shaped channel. Again, see the application drawing figures. WOLF includes portions of the channel that have the same interior cross-sectional diameter in each of WOLF Figures 1-3. BLACKMAN channel 66 has portions with the same interior cross-sectional diameter.

With reference to application page 2, lines 6-9 and page 4, lines 17-22, claim 1 still further recites that in use, when a liquid entering the connection end is pressed through the restriction section, a pressure will increase when the liquid passes through the restriction section and a velocity increase when the liquid reaches the expanded channel outlet section so that the liquid leaves the outlet end under turbulent flow. Neither WOLF nor BLACKMAN discloses such a structure.

With reference to specification page 2, lines 13-20, claim 1 additionally recites that the nozzle shaped channel is

housed in an enlarged circumferential portion (12) shaped to seal against edges of an interior of a user's nostril. Neither WOLF nor BLACKMAN discloses such a structure.

Also, see the remaining "wherein" clause portions, e.g., a largest cross-sectional exterior diameter of the connection end being less than a largest cross-sectional exterior diameter of the enlarged circumferential portion (12).

The references are not seen to disclose, as per claim 3, that the exterior of the enlarged circumference portion (12) is droplet or balloon shaped.

Even if the WOLF device is, due to its length, flexible, it is not made of a flexible material (claim 5).

Claim 21 includes recitations similar to claim 1 and is both novel and non-obvious over the prior art.

These include:

"the nozzle shaped channel portion (4) comprising a restriction section (5) connecting to an expanded channel outlet section (6) that expands towards and terminates at the distal end of the channel outlet (2) with the expanded channel outlet section increasing in interior diameter toward the second, distalmost end of the channel so that a maximum interior diameter of the expanded channel outlet section is located at the second, distal end of the channel,"

"a largest cross-sectional exterior diameter of the connection end is less than a largest cross-sectional exterior diameter of the enlarged circumferential portion (12)," and

"in use, when a liquid entering the connection end is pressed through the restriction section, a pressure will increase when the liquid passes through the restriction section and a velocity increase when the liquid reaches the expanded channel outlet section so that the liquid leaves the outlet end under turbulent flow".

Neither reference is seen as disclosing, as per claim 22, wherein the nozzle shaped channel portion is located within an end portion having a flexible, droplet exterior shape.

Neither reference discloses (e.g., claim 23), wherein the outlet portion is made of a silicone rubber.

Claim 27 is independent and includes recitations similar to those discussed above, e.g.:

"the nozzle shaped channel portion (4) comprising a restriction section (5) and a changing interior diameter so that each interior cross-sectional diameter of the restriction section is different from all other interior cross-sectional diameters of the restriction section, the nozzle shaped channel portion (4) being located in apart of the channel nearer the channel outlet than the channel inlet,"

"the restriction section (5) connecting to an expanded channel outlet section (6) that expands towards and terminates at

the distalmost end of the channel outlet (2) with the expanded channel outlet section increasing in interior diameter toward the second, distal end of the channel so that a maximum interior diameter of the expanded channel outlet section is located at the second, distalmost end of the channel;" and

"a connection end (3) connected to the enlarged circumferential portion (12) and including the channel inlet, the connection end comprising an exterior portion shaped to fit onto a conical tip, wherein,

"a largest cross-sectional exterior diameter of the connection end is less than a largest cross-sectional exterior diameter of the enlarged circumferential portion (12), and

"in use, when a liquid entering the connection end is pressed through the restriction section, a pressure will increase when the liquid passes through the restriction section and a velocity increase when the liquid reaches the expanded channel outlet section so that the liquid leaves the outlet end under turbulent flow".

Summary

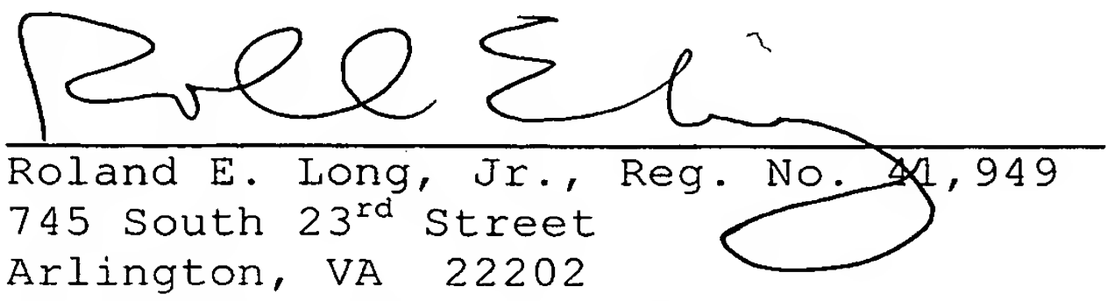
Since the references do not disclose the recited features of the claims, these rejections should be withdrawn and the claims allowed.

In view of the above, reconsideration and allowance of all the pending claims are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



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